



TECHNICAL ADVISORY COMMITTEE (TAC)

Meeting Minutes



October 15, 2002 9:00 a.m. – 4:00 p.m.

**SF Bay Oiled Wildlife Care and
Education Center, Fairfield, California**

Attendance:

Russell Long	Matt Rezvani	Mike Scala	Joan Lundstrom	Stephen Ricks
Jonna Mazet	Kevin Mercier	Ellen Farout-Daniels	Dev Elmes	William Fels
Byron Black	Harlan Henderson	Scott Schaefer	Bud Leland	Stephen Sawyer
Joy Lavin-Jones	Bill Weber	Chris Klumpp	Sandi Potstada	Marguerite Diaz

TAC Members are requested to appoint an alternate representative to attend quarterly meetings in their absence.

The October 15, 2002 meeting of the Oil Spill Technical Advisory Committee (TAC), at the San Francisco Bay Oiled Wildlife Care and Education Center, Fairfield, California, was called to order at 9:10 a.m. – Mr. Stephen Ricks, Vice Chairman, presiding.

I. COMMENCEMENT/INTRODUCTIONS

STEPHEN RICKS (ACTING CHAIR)/TAC

Participants introduced themselves. Mr. Ricks turned the discussion over to Mr. Henderson.

II. WELCOME/GENERAL ANNOUNCEMENTS

HARLAN HENDERSON

- *SONS*. Joint meeting with OSPR and the Coast Guard on Spill of National Response (SONS) (Exxon/Valdez type of spill). Next SONS exercise will be in California, 2004. Two scenarios are being considered for this exercise: 1) two simultaneous accidents (one off San Francisco Coast, one down south); 2) offshore platform or maybe involve a non-tank vessel involved in an operation to include Los Angeles, San Diego and maybe Mexico. American Petroleum Institute will be involved in the exercise.
- *SB 849*. Bill Passed. Scott Schaefer to discuss further. Audit by January 1, 2004.
- *Spill Conference, Australia*. Presentation on the California experience. Discussion on spill response, financial responsibility, natural resources, restoration, etc.

III. APPROVAL OF MINUTES

STEPHEN RICKS (ACTING CHAIR)/TAC

- Motion made to approve the July 17, 2002 meeting minutes, seconded by Joan Lundstrom, and approved with two modifications.
- Stephen Sawyer moved for a new agenda item “old business/new business/miscellaneous”. Members moved to include an Other Business item on agenda, seconded, and approved.

IV. AGENCY REPORTS

CCC/BCDC/SLC

California Coastal Commission:

- *CCC staffing*. Freeze exemption paperwork in for a new position. Still understaffed by 50%
- Not able to attend the subcommittees for the LA Harbor Safety Committee.
- *Regional Response Team*. Dispersants work continues: Los Angeles area most active. Dispersants Use Zone Recommendations have been done, but have not been taken to the Regional Response Team. Broken up into anticipating on what the subcommittee will (five workgroups) need.
- *Bolsa Chica Wetlands Incident of 2000*. Working on restoration. CCC is still working on obtaining a permit for the restoration work.

State Lands Commission:

- *SLC staffing*. Two deaths in office (John Kloman and Cheryl Stewart passed away). Larry Hope, Southern California Field Officer retired.
- *SLC database*. Contracted out for rehabilitation to enhance capability. Will be web based.

SF Bay Conservation and Development Commission:

Report submitted by BCDC, but not in attendance. Moved to enter report as submitted, seconded and approved.

V. U.S. Coast Guard District 11**CAPTAIN WILLIAM FELS/BYRON BANKS**

- *Captain William Fels.* Assigned to District 11 in August of 2002, Assistant Marine Safety Division Captain's of the Port (San Diego, Los Angeles, San Francisco) report to Captain Fels. Comes from District 7 in Miami (same responsibilities). In Marine Safety Business for 28 years, mostly in east coast and gulf coast of the United States. Also, Co-Chair for Regional Response Teams for Region 4 which is southeast United States and the Caribbean. The USCG will work with OSPR to re-energize the Regional Response Teams in California.
- *Security.* USCG has 8-9 primary missions.
 - Environmental Protection – moved to 8th mission of the USCG: Due to September 11, the USCG has had to step up operations in other areas of security, such as counter drug operations, port security, etc. The State players have stepped up to cover environmental response activities basically covering for the USCG. Envisions more local and State agency involvement in environmental response in the future.
 - Increase security measures in the Bay. USCG changed to require vessels to report at least 96 hours prior to arrival to determine if there is any threat to the US. Vessel carrying hazardous materials - boarding team will remain on board and be in control of the ship by riding the bridge of the ship.
 - Increased Harbor Patrols, both in the air and on water, to maintain a level of awareness of what is in the port.
 - February 2002, the USCG was made part of the national team on intelligence.
 - Vessel escorts – with particularly hazardous/dangerous cargos into port.
 - Supervision of explosives being loaded onto vessels (commercial/military or military charter).
 - Two new resources online – specially trained security teams in Los Angeles, Seattle, Boston, New York, and probably in west coast in 2003 in the Philippines or San Francisco, which operate very fast small boats in port area that are armed with weaponry for military out-loads or any high profile event. In position to deploy units within a couple of hours.
 - New plans to grow USCG over next couple of years. Looking to move the USCG intact (with every mission) into the Department of Homeland Security.
 - Terrorism: a) Suggest terrorism as an element of SONS exercise. While focus should be on cleaning up the oil, entire area becomes a crime scene; b) Question raised – Is there any evidence of vessels targeted by terrorists? No intelligence on any specific act.
- *USCG Jurisdiction* - Inspection of containers
 - Biggest vulnerability of the USCG right now. WSPA and Customs are also involved. Customs is the lead. The focus has been on research and development, and inspections at the point of origin. Customs inspectors are now overseas.
 - USCG is now tracking some of the cargos for chemical carriers in the ports
 - Sea Marshall program. No all ships get escorts or sea marshals because there is not enough people. California has a lot of container ships arriving annually.

VI. TAC BYLAWS**STEPHEN SAWYER/JONNA MAZET/JOAN LUNDSTROM**

Discussions on the second draft of Bylaws resulted in recommendations by various TAC Members regarding clarification, qualifications of alternatives, administrative assistant positions, member attendance, effective date of Bylaws, formatting, and language. The TAC voted on the recommendations, agreed on revisions to the Bylaws, and agreed that the effective date would be January 1, 2003 with revisions. Stephen Sawyer agreed to circulate the final Bylaws to Jonna Mazet and Joan Lundstrom for review and comment prior to providing to all TAC Members.

VII. LEGISLATION UPDATE

SCOTT SCHAEFER/KEVIN MERCIER

- *SB 849.* Bill passed in both the Senate and the Assembly to increase funding from \$.04 to \$.05/barrel, and to place an application fee for COFRs on non-tank vessels above 300 gross tons of up to \$2500.
 - 2005 Audit by Department of Finance. TAC will have nine (9) months to provide comments on completed audit.
 - Bill will raise \$3.4 million to restore and enhance response operations and \$3.35 million to balance revenues.
 - Approximately 30 new positions for OSPR intended by legislature.
- *SB 145.* Bill to continue bunker fuel tax exemption vetoed by the Governor with regrets. Effective January 1, 2003 there will be a sales tax on bunker fuel.
- *AB 2083.* Oil Transfer and risk reduction act of 2002 - Passed. Requires the development of a form with the type of petroleum products and emissions with the maritime industry and is required to be filed with State Land Commission quarterly by the owner of the oil which is being loaded between Los Angeles and San Francisco and points in between. The State Lands Commission must produce a report based on the information gathered in 2004 to include refinery shutdowns, location of emissions of ballast discharge, type of vessels, and a discussion of any other pertinent issues. Revenue available January 1, 2003.

VIII. REGULATIONS UPDATE

JOY LAVIN-JONES/STEPHEN SAWYER

- *OSRO.* Approved and effective October 9, 2002 as submitted. Will be published on the Office of Spill Prevention and Response web site.
- *Administrative Compliance Action.* Withdrew as of August 30, 2002.
- *Administrative Civil Penalty Action.* For spills of less than one (1) barrel, primarily transfer violation subject to Bunkering and Lightering regulations. Comment period ends July 23, 2002.
- *SB 849 Emergency Regulations.* Anticipate OAL to approve emergency regulations to reflect changes in statute right away.
- *Contingency Plan.* Need to streamline the contingency plan for non-tanks. Emphasis on proper notifications.

IX. OSPR ENFORCEMENT/DISPATCH UPDATE

BUD LELAND

- *Enforcement.* Discussion on the Fish and Wildlife Pollution Account (Fund 207)? Response to Inland Spills [cleanup, response planning, damage assessment, and restoration]– delegation of authority given by the Director of DFG in 1995.
 - Reimbursable only by the Responsible Party
 - Only two positions funded at OSPR, DFG Pollution Coordinators positions funded (OSPR supports DFG on response to inland spills and response costs are coded to the 207 fund)
 - 207 fund was built up as part of the Guadalupe settlement; however, the funds are now depleting (efforts are being made to rebuild the fund)
 - Concerns OSPR not being contacted by DFG region (consensus that OSPR is too costly) - Training needed in the Regions regarding billing. OSPR now has a module with the Warden Academy to educate the wardens (will include billing procedures).
- *Dispatch.* DFG/OSPR 24 hour/7 day a week capability to dispatch Wardens in all parts of the State (both DFG and OSPR wardens). Four dispatch positions are funded by the DFG funds.

X. LUCKENBACH UPDATE

KIM MCCLENEGHAN

- Brief overview of mystery bird history (oil samples match from other mystery bird collections during 1992-1993, 1997-1998, and 2001), collection of birds, elimination of other possible vessels that could be associated with the mystery birds, and how the Luckenbach was discovered
- Overview on the impacts to birds and other marine wildlife
- Overview of the costs: \$19.5 million approx. recovery costs (USCG funded)
- Recovered approximately 85,000 gallons
- Overview on other mystery spills that can be associated with natural seeps (relatively smaller quantity released at a time and much of the oil evaporates before the birds get to them)

XI. DRILLS UPDATED

CHRIS KLUMPP/BILL WEBER

- *Sensitive Site Drill Program.* (260 sites) To assess spill response activities of the plan holder and of the OSRO and validate Area Plan strategies for sensitive site protection
 - Categorical exemption obtained under CEQA
 - Five year program of approximately 20 sites per year to drill tank and non-tank vessels and facilities
 - Annual report will be published on web
 - Report to TAC at the end of the five year program
- *Unannounced Drill Program.* Part of rating of OSROS which becomes mandatory January 2003
 - To test notifications, 2-3 hours response, equipment deployment, and verification of immediate boom on hand
 - Once certification received, must get recertified every three (3) years; however, ratings can be modified, suspended, or revoked at any time
 - Lessons Learned during previous Unannounced Drill Program: a) Non tank vessels are not familiar with their C-Plans; b) Plan holder personnel - some not familiar with own pollution response equipment; c) More than plan holder personnel are required to make the system work; d) Non-tank operators do not have a cell phone; e) Non-tank vessel qualified individuals react differently when notified during a vessel QI notification drill, than on OSPR unannounced drill; and f) Tank ships successfully passed all drills

XII. OTHER BUSINESS

ALL

- TAC contact information to be consolidated, voted on at January meeting, and published on the web site thereafter
- Moved that Bylaws include language for 10th appointee, seconded, and approved
- Agenda topics for next meeting:
 - CODAR System – TAC members indicated not forum for this committee
 - Presentation on California treatment of wastes by Gary Gregory
 - Presentation on oily water separator's by the Attorney General's Office
 - Identification of educational issues for TAC
 - Identification of what TAC audit report and funding requirements
- Schedule of future TAC meetings
 - January 28, 2003 (Office of Spill Prevention and Response, 1700 K Street, 1st Floor Conference Room, Sacramento, California)
 - April 22, 2003 (location TBA)
 - July 22, 2003 (location TBA)
 - October 28, 2002 (location TBA)

ADJOURN

TOUR OF OWCN FACILITY